

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

FRIDAY, THE 5TH OCTOBER 2007 / 13TH ASWINA 1929

Con.Case(C).No. 1395 of 2007(S)

(JUDGEMENT IN W.P.(C).NO.9012/2007 DATED 29/03/2007)

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PETITIONER/PETITIONER:

**P.K.VIJAYAN, S/O.RAGHAVAN, AGED 52 YEARS
PUTHENKANDATHIL HOUSE, KUNNAPPALLY, PERUVA P.O.,
KOTTAYAM.**

BY ADV. SRI.P.DEEPAK.

RESPONDENT/RESPONDENT:

**SRI.M.N.SUKUMARAN,
AGE & FATHER'S NAME NOT KNOWN TO THE PETITIONER,
SECRETARY, REGIONAL TRANSPORT AUTHORITY,
ERNAKULAM.**

BY GOVT. PLEADER SRI. R. LAKSHMI NARAYAN.

**THIS CONTEMPT OF COURT CASE (CIVIL) HAVING COME UP FOR
ADMISSION ON 05/10/2007,THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

K.BALAKRISHNAN NAIR, J.

CONTEMPT CASE (C) NO.1395/2007-S

JUDGMENT

The petitioner has approached this Court, alleging that the respondent is not respecting the declaration of law made by this Court in Annexure-A judgment. This Court said that pending renewal of the permit, the petitioner need not retain his old vehicle and he can sell it. The petitioner submits, when he tried to sell the vehicle, the respondent is not issuing NOC. This Court did not say that if motion is made for selling the vehicle, the respondent shall grant NOC. The respondent can deny NOC, if there is tax arrears. In this case NOC is declined on a wrong ground, it is submitted. For that, the petitioner has to work out his remedy independently. So, I am of the view that the contempt application is not maintainable. Accordingly, it is closed without prejudice to the right of the petitioner to work out his remedy against the refusal of the respondent to issue NOC to him, to sell his vehicle.

5th October, 2007.

K.BALAKRISHNAN NAIR, JUDGE.

Nm/